

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cr2

UNITED STATES OF AMERICA)
)
)
vs.)
)
)
RANULFO MAYORGA)
)
)

ORDER

THIS MATTER is before the Court upon the defendant's Notice of Non-Availability, which the Court will consider as a motion for a continuance of this matter from the July 18, 2005 trial term in the Charlotte Division. (Doc. No. 37).

On July 18, 2005, the Court held calendar call and announced this case would be tried on August 15, 2005, in part because of the need for an interpreter. The defendant's Notice was not filed until July 24, 2005. Additionally, the Notice fails to state the reasons counsel claims he is unavailable for trial. Thus, the Court finds that the defendant has not stated sufficient cause for a continuance in this matter.

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals service, and the U.S. Probation office.

Signed: July 28, 2005

Robert J. Conrad Jr.

Robert J. Conrad, Jr.
United States District Judge

